

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JAMES E. HENRY,)	CASE NO. 4:19CV322
)	
Petitioner,)	JUDGE CHRISTOPHER A. BOYKO
)	
vs.)	
)	
MARK K. WILLIAMS, Warden,)	<u>MEMORANDUM OF</u>
)	<u>OPINION AND ORDER</u>
Respondent.)	

CHRISTOPHER A. BOYKO, J.:

This matter is before the Court on Magistrate Judge George J. Limbert's Report and Recommendation (Doc. 16) to find Petitioner James E. Henry's Petition under 28 U.S.C. § 2241 is moot and dismiss the Petition in its entirety with prejudice. Objections to the Report and Recommendation were due by August 13, 2019. Petitioner has not filed an objection to the Report and Recommendation.

Federal Rule of Civil Procedure 72(b) provides that objections to a report and recommendation must be filed within fourteen days after service. FED. R. CIV. P. 72(b)(2). Petitioner has failed to timely file any such objections. Therefore, the Court must assume that Petitioner is satisfied with the Magistrate Judge's recommendation. Any further review by this Court would be duplicative and an inefficient use of the Court's limited resources. *Thomas v. Arn*, 474 U.S. 140, 155 (1985); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).

Accordingly, the Court **ADOPTS** the Report and Recommendation of the Magistrate Judge (Doc. 16); **GRANTS** Petitioner's Motion to Dismiss Petition as Moot (Doc. 15); and **DISMISSES** Petitioner's Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 (Doc. 1) as moot.

Since Petitioner has not made a substantial showing of a denial of a constitutional right directly related to his conviction or custody, the Court declines to issue a certificate of appealability. 28 U.S.C. § 2253(c)(2); FED. R. APP. P. 22(b).

IT IS SO ORDERED.

s/Christopher A. Boyko
CHRISTOPHER A. BOYKO
United States District Judge

Dated: September 9, 2019